

# **Title VI Plan for CDOT FHWA Subrecipient**

Weld County Public Works Department

08/13/2019

Prepared by: Andrew Chadwick, Weld County Human Resources Analyst

*2019-3684*

**I. Non-Discrimination Policy Statement**

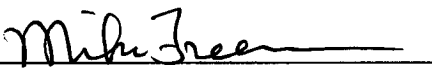
It is the policy of Weld County that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of Weld County as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy specifically addresses the operations of Weld County Department of Public Works, including its contractors and anyone who acts on behalf of Weld County Department of Public Works. This policy also applies to the operations of any department or agency to which Weld County through its Public Works Department, extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

  
Weld County Board of County Commissioners  
Mike Freeman, Pro-Tem

AUG 14 2019  
\_\_\_\_\_  
Date

2019-3684

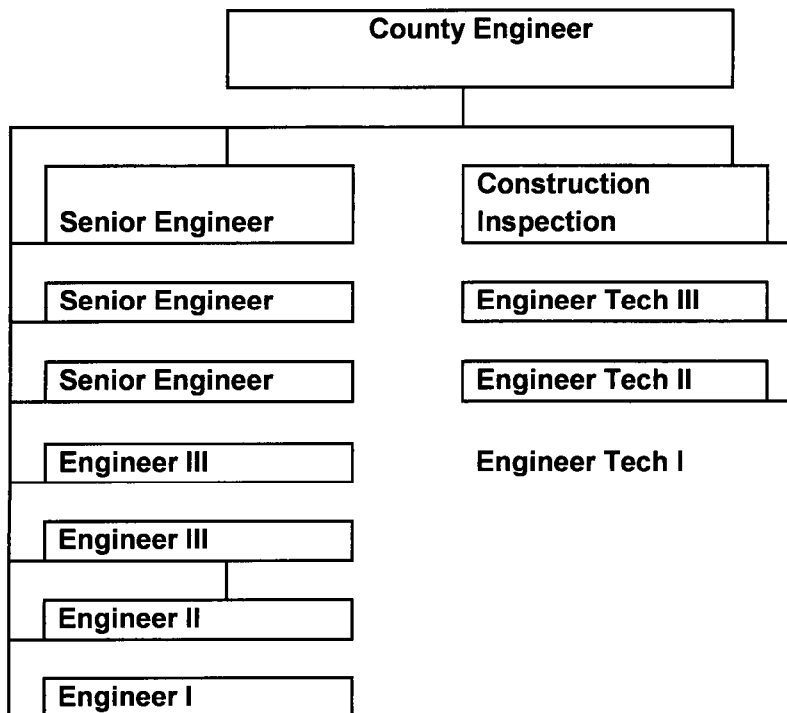
## II. Organization, Staffing, and Structure

Board of County Commissioners is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

Weld County's Title VI Coordinator for FHWA subrecipient funding is located within the Public Works Engineering Division.

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the agency's behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to CDOT.
- Developing procedures for the collection and analysis of statistical data.
- Providing Title VI information for dissemination;



**III. Primary Program Area Descriptions & Review Procedures**

The Public Works Department engages in the following program areas:

<b>Program Area</b>	<b>General Description</b>	<b>Title VI/Non-Discrimination Concerns and Responsibilities</b>	<b>Review Procedures for Ensuring Non-Discrimination</b>
Planning and Design	Public meetings	Ensures public involvement in the decision-making process through public meetings, information bulletins, web publication and project related signing. Provides information in alternative formats as needed.	Review and ensure compliance of Weld County Code, Federal regulations and update of this plan as needed
Procurement	Compliance for bid documents and Purchasing process to award bids	Provide opportunity for historically under-utilized women and minority owned small businesses (DBEs).	Review and ensure compliance of Weld County Code, Federal regulations and update of this plan as needed
Construction	Implementation of Construction projects	Ensure construction efforts and resources are in compliance with Title VI requirements in all contracts.	Review and ensure compliance of Weld County Code, Federal regulations and update of this plan as needed

#### **IV. Title VI Complaint Procedures**

Weld County's Title VI Plan will be posted on the internet and available in hard copy format in the Office of the County Engineer.

##### **Discrimination Complaint Procedure for Weld County Public Works**

Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any Weld County Public Works program or activity. This prohibition applies to all branches of Weld County Public Works, its contractors, consultants, and anyone else who acts on behalf of Weld County Public Works.

Federal law requires that Weld County Public Works investigate, track, and report discrimination complaints. Complaints must be filed in writing and will be investigated within sixty days of submission. If you need assistance to file your complaint or need interpretation services, please contact the Weld County Engineer.

##### **Who is eligible to file a complaint?**

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Weld County Public Works program or activity because of their race, color, national origin, age, sex, or disability may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

##### **How do you file a complaint?**

Complaints must be filed in writing within 180 days from the last date of the alleged discrimination. However, contact the County Engineer if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact the County Engineer.

Complaints may be submitted via mail, internet link, fax or in person to:

Weld County Engineer, Weld County Public Works

1111 H Street, Greeley CO 80631

FAX Number: 970-304-6497

[https://www.weldgov.com/departments/public\\_works/comment\\_or\\_concern\\_form](https://www.weldgov.com/departments/public_works/comment_or_concern_form)

Complaints may also be filed directly with the following agencies:

Colorado Department of Transportation  
Civil Rights & Business Resource Center  
4201 East Arkansas Ave., Room 150  
Denver, CO 80222  
dot\_civilrights@state.co.us  
Phone: (800) 925-3427  
Fax: (303) 952-7088  
dot\_civilrights@state.co.us

Federal Highway Administration, Colorado Division  
12300 West Dakota Avenue, Suite 180  
Lakewood, Colorado 80228  
Phone: (720) 963-3000  
Fax: (720) 963-3001

What happens after a complaint is filed?

Title VI complaints must be investigated within sixty days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information from all involved parties. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

In some cases, complaints will be forwarded to either the Colorado Department of Transportation or the Federal Highway Administration for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.



*Where did the discrimination occur?*

---

---

---

*Dates and times discrimination occurred?*

---

---

---

---

*Were there any other witnesses to the discrimination?*

Name	Organization/Title	Work Telephone	Home Telephone

*How would you like to see this situation resolved?*

---

---

---

---

---

*Have you filed your complaint, grievance, or lawsuit with any other agency or court?*

Who \_\_\_\_\_ When \_\_\_\_\_  
Status (pending, resolved, etc.) \_\_\_\_\_ Result, if known \_\_\_\_\_  
Complaint number, if known \_\_\_\_\_

*Do you have an attorney in this matter?*

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_



**VI. Data Collection**

Weld County pulls demographic information from the most current information available through the United States (<https://www.census.gov>) for Weld County.

<b>Program Area</b>	<b>Type of Data Collected &amp; Process for Collecting</b>	<b>Intended Outcome of Data Analysis (i.e. Title VI Purpose for Collecting the Data)</b>
Project Specific	Poverty indicators for Weld County per State Census Data	Impacts to Low to Moderate Income Residents Application for targeted grants.

## **VII. Public Participation**

*Weld County communicates with and conducts outreach to affected populations depending on the project through:*

- Project specific newsletters mailed through the USPS to the public in the area affected by the project.
- Project information and status reports posted on Weld County's website.
- Invitations to public meetings through:
  1. Targeted mailings
  2. Press Releases
  3. Email notifications
- Road signs or message boards posted at the proposed limits of each project providing contact information to the traveling public.

## **VIII. Staff Training**

Employees of Weld County's Department of Public Works involved in projects receiving federal funding attend trainings that CDOT provides to local agencies annually.

## **IX. Notice of Rights**

The following notification is available at the Public Works Department and on the following link:  
[https://www.weldgov.com/departments/public\\_works/comment\\_or\\_concern\\_form](https://www.weldgov.com/departments/public_works/comment_or_concern_form)

### **Your Rights Against Discrimination under Title VI of the Civil Rights Act of 1964**

Weld County Public Works operates its programs and services without regard to race, color, national origin, sex, age, and disability. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Weld County Public Works program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with Weld County Public Works or the Colorado Department of Transportation.

To file a Title VI discrimination complaint, contact:

County Engineer  
Weld County Public Works  
1111 H Street  
Greeley CO 80631  
Fax: 970-304-6497

Colorado Department of Transportation  
Civil Rights & Business Resource Center  
4201 East Arkansas Avenue, Room 150  
Denver, CO 80222  
(303)757-9234  
[dot\\_civilrights@state.co.us](mailto:dot_civilrights@state.co.us)